

## 2012 RECYCLE-BOWL COMPETITION

### OFFICIAL RULES

**NO CONTRIBUTION OR PURCHASE NECESSARY TO ENTER OR WIN. A CONTRIBUTION OR PURCHASE WILL NOT INCREASE THE CHANCES OF WINNING. VOID WHERE PROHIBITED.**

1. **ELIGIBILITY.** Keep America Beautiful, Inc.'s ("KAB") *Recycle-Bowl*<sup>TM</sup> contest (the "Competition") is open to public, private and charter elementary, middle and high schools in the 50 states of the United States and the District of Columbia. **THE COMPETITION IS VOID OUTSIDE OF THE 50 UNITED STATES AND THE DISTRICT OF COLUMBIA AND/OR WHERE OTHERWISE PROHIBITED BY LAW.**
2. **HOW TO ENTER.** A teacher, principal or authorized representative (an "Authorized Representative") from an eligible school may enter his or her school in the Competition by completing the online registration form between 12:00 a.m. Eastern Standard Time ("EST") on Monday, May 14, 2012 and 11:59 p.m. EST on Monday, October 8, 2012. The Authorized Representative must be at least 18 years of age to register. In the event of multiple entries for the same school, only the first registration will be valid.

The Authorized Representative will be able to enter his or her school in one of the following two Competition categories:

- A. **State School Competition.** An eligible school may enter in the State School Competition to compete against other schools in the same State. The District of Columbia will be treated as its own State for purposes of the Competition. Only "Recyclable Material" (defined in Paragraph 3 below) generated by, and collected from, a school's own internal operations may be considered for purposes of the State School Competition. Schools that participate in a community recycling program, *i.e.*, that accept Recyclable Material from anyone other than the school population or that wish to solicit and accept recyclable donations from parent's homes or businesses, individuals, groups and organizations in such participating School's surrounding community for purposes of the Competition are not eligible to participate in the State School Competition.
- B. **National Community Recycling School Competition.** An eligible school may enter in the National Community Recycling Competition to compete against other schools in the 50 states of the United States and the District of Columbia. Schools that participate in the National Community Recycling Competition may be part of a community recycling program, as part of which the school collects Recyclable Material not only from the school but from individuals, groups and organizations in its surrounding community, and may solicit and accept

recyclable donations from parent's homes or businesses, individuals, groups and organizations in such participating School's surrounding community for purposes of the Competition. The Abitibi Paper Retriever program, SP Recycling program or the Pepsi Recycle Rally program are examples of a community recycling program.

Each registered school is referred to in these Official Rules individually as a "School" and collectively as the "Schools". KAB reserves the right to verify the eligibility of any and all registered Schools at any time.

3. **HOW TO PARTICIPATE.**

- A. **Collection of Recyclable Material.** Between 12:00 a.m. EST on Monday, October 15, 2012 and 11:59 p.m. EST on Friday, November 9, 2012 (the "Collection Period") each participating School may collect acceptable "Recyclable Material," (*i.e.*, waste materials that are on the list of acceptable Recyclable Material, available at the link below, that will be recycled or used in the production of new products or goods).

Recyclable Material includes paper and cafeteria products, as accepted by local recycling drop-offs or service providers. The term Recyclable Material **excludes** any materials used as feedstock for waste-to-energy. A full list of acceptable and unacceptable Recyclable Material can be found on the website.

Each School participating in the State School Competition can only count Recyclable Material generated by, and collected from, its own internal operations during the Collection Period.

Each School participating in the National Community Recycling School Competition can count Recyclable Material generated by, and collected from, its own internal operations as well as Recyclable Material collected from parent's homes or businesses, individuals, groups and organizations in such participating School's surrounding community during the Collection Period.

- B. **Reporting.** Between 12:00 a.m. EST on Saturday, November 10, 2012 and 11:59 p.m. EST on Friday, December 14, 2012 (the "Reporting Period"), each School participating in the Competition must submit a report on-line describing the type(s) and amount(s) of Recyclable Material collected by such School during the Collection Period. The report link can be found on <http://www.Recycle-Bowl.org>. The first 500 Schools to submit completed reports in compliance with these Official Rules, within the Reporting Period, shall each receive a gift card (dollar amount yet to be determined).

Reports submitted prior to or after the Reporting Period shall not be considered and a participating School that submits an untimely report shall not be eligible for a

prize. KAB will review each of the timely submitted reports. If KAB, in its sole discretion, determines that the data or other information reported by a particular School is inaccurate, incomplete or otherwise non-compliant with these Official Rules, KAB may disqualify such School. KAB may, at its sole discretion, request that any School provide supporting documentation and/or other information concerning its report. The failure of any School to respond to such an inquiry by KAB shall result in that School's immediate disqualification from the Competition. Any decision or inquiry made by KAB with respect to a submitted report shall be final and binding upon the School.

- i. **Required Information.** Each School participating in the Competition shall provide total pounds of Recyclable Material collected during the Collection Period and its current total number of students and teachers. Each School must provide supporting documentation confirming the number of current students and teachers, which may include a link to an Internet webpage.
- ii. **Standardized Data Measurement.** Each participating School must track the actual weight in pounds or volume of Recyclable Material collected. When registering and reporting, Schools must choose one of the following methods: (a) weight tickets from waste/recycling hauler; (b) weights from a scale; (c) conversion of number of bags to weight in pounds; and (d) conversion of container volumes to weight in pounds. Any School relying on volume-to-weight conversion must comply with the official conversion factors for the Competition.

All reported weights must be based on actual observed recycling generation and rounded down to the nearest whole pound. For example, a four yard dumpster of cardboard must be observed to be full. Reporting data based on the capacity of the container without observing quantities is not allowed and may, at KAB's sole discretion, result in the disqualification of the submitting School. All individual commodity data must be added together to get a final total number. For example, if a School collects and tracks cans, bottles and paper separately, all individual commodity data will be added together at the end for Competition purposes.

- iii. **Communication.** The Authorized Representatives must respond to any reporting inquiry from KAB within five (5) school days. All such responses should be directed to 2012 RECYCLE-BOWL COMPETITION at [info@recycle-bowl.org](mailto:info@recycle-bowl.org) or 202-688-0605.

4. **PRIZE DETERMINATION AND NOTIFICATION.** At or shortly after 1:00 p.m. EST on Monday, February 4, 2013, KAB will select the winning Schools in the State School

Competition and the National Community Recycling School Competition. In the State School Competition, KAB will award a total of \$53,500 in winning prizes: \$1,000 to the School in each of the 50 States and in the District of Columbia that, in KAB's sole determination, collected the most Recyclable Material per capita in that School's State or District; and \$2,500 worth of educational and environmental resources to the School that collects the most Recyclable Material per capita overall. In the National Community Recycling School Competition, KAB will award a grand total of \$2,250 in prizes: \$1,000 to the School that collects the most Recyclable Material per capita overall, \$750 to the School that collects the second highest amount of Recyclable Material per capita overall, and \$500 to the School that collects the third highest amount of Recyclable Material per capita overall. Prizes will be paid by check to each winning School (and not to any individual).

KAB will contact the Authorized Representative from each winning School by telephone and/or email within seven (7) school days of its determination of the winners. If the Authorized Representative for a winning School does not respond within five (5) school days of such contact, or if that winner declines the prize, then the eligible School with the next highest weight of collected Recyclable Material per capita in that State or District for the State School Competition category or overall for the National Community Recycling School Competition category, as applicable, will be chosen.

In the event of a tie in a State or District for the State School Competition category or overall for the National Community Recycling School Competition category, the tie will be broken by the School that conducted an America Recycles Day event (the event must be documented and registered on the America Recycles Day site). If all Schools within the tie conducted an America Recycles Day event, then the prize money will be split equally between all such tying Schools.

In addition to the Competition prizes, the first 500 eligible Schools to submit reports during the Reporting Period will each receive a gift card. The total value of the gift cards has yet to be determined.

No substitution of prizes is offered; no transfer of prizes to a third party is permitted. Prize recipients are responsible for all applicable federal, state and local taxes, if any, on a prize.

**THE ODDS OF WINNING A PRIZE OR GIFT CARD DEPENDS UPON THE NUMBER OF ENTRIES RECEIVED IN EACH COMPETITION CATEGORY.**

5. **CODE OF CONDUCT.** All Authorized Representatives agree on behalf of their School to, and all participating Schools shall compete under, the following principles:
  - A. The Competition's goal is to increase student awareness and involvement in recycling through collaboration and partnership with participating Schools;

- B. The Competition is a cooperative, friendly competition. Cheating, discourteous or offensive behaviors are grounds for a School to be disqualified and removed from the Competition; and
  - C. No participants “lose”—all participating Schools win through their achievements in waste reduction and recycling.
6. **CONDITIONS OF PARTICIPATION**. By participating in the Competition, each School and each Authorized Representative on behalf of his or her School agrees to be bound by the following terms and conditions:
- A. These Official Rules and all decisions of KAB, its employees, agents and/or representatives relating to this Competition shall be final, binding and non-appealable in all respects.
  - B. Each Authorized Representative and each School releases and discharges KAB and Nestle Waters North America, Inc. (“Nestle”), their respective parents, subsidiaries and affiliates, and each of their respective directors, officers, shareholders, agents, and employees (collectively, “Releasees”), and agrees to hold harmless the Releasees, from any and all injuries, liabilities, losses, and damages of any kind resulting from their participation in the Competition or their acceptance, use, or misuse of a prize, including, without limitation, personal injury, bodily injury, death and property damage.
  - C. Each School authorizes KAB and Nestle to use its School name, image, and/or likeness (including any mascot of the School) for trade, advertising, publicity, and promotional purposes without compensation (unless prohibited by law), in any and all media now known or hereafter discovered, worldwide, in perpetuity, including but not limited to the Internet, without notice, review, or approval, and each School agrees to execute further consents to such use upon request of KAB and/or Nestle.
  - D. In the event a School wins a prize, the Authorized Representative of the winning School shall complete, sign and return an Affidavit of Eligibility, a Liability Release and a Publicity Release on behalf of the School within 10 days of notification. Failure to timely return documents, or the return of a prize notification or prize as undeliverable, shall cause the prize to be forfeited.
  - E. Releasees are not responsible for and shall not be liable for: (a) any human, typographical, printing or other error relating to or in connection with the Competition, including, without limitation, errors which may occur in the administration of the Competition, processing of entries or requests for entry forms, the announcement of the prizes or in any Competition-related materials;

(b) late, lost, misdirected, incomplete, illegible, mutilated, stolen, delayed, or untimely entries and/or reports; (c) any condition caused by events that may cause the Competition to be disrupted or corrupted; (d) any defect in, failure or malfunction of any telephone line, computer line, network, scanner, other computer equipment or software or any combination thereof; or (e) any corrupted, delayed, garbled, lost or otherwise incomplete data transmissions of any kind. **UNDER NO CIRCUMSTANCES WILL ANY RELEASEE BE LIABLE FOR PUNITIVE EXEMPLARY, SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL OR ANY OTHER DAMAGES.**

- F. KAB may, and reserves the right to, in its sole discretion, cancel, terminate, modify, or suspend the Competition if cheating, fraud, technical failures, computer viruses, bugs, worms or other unlawful or unauthorized intervention, or any other factor beyond its reasonable control impairs the integrity of the Competition (or portion thereof), as determined by KAB in its sole discretion. If KAB terminates the Competition for any reason, it may, in its sole discretion, select winners in accordance with these Official Rules based on the entries and reports received prior to the termination date or select no winners and issue no prizes.
  - G. All registration and reporting forms, once submitted to KAB, shall be the sole and exclusive property of KAB and will not be returned. Any information provided to KAB on these forms will not be sold to third party vendors without express permission from the School's Authorized Representative. Moreover, registration and reporting forms are void if not obtained in accordance with these Official Rules, or if any part is forged, illegible, counterfeited, fraudulent, incomplete, mechanically reproduced, photocopied, altered, mutilated or tampered with in any way, or if they contain printing, production, typographical, mechanical or other errors.
  - H. In the event a dispute does arise concerning the Competition, such dispute shall be brought individually, without resort to class action, in a federal court in the District of Connecticut or a state court located in Stamford, Connecticut and that any damages awarded by such court shall be limited to actual "out-of-pocket" expenses (excluding attorneys' fees) arising from participation in the Competition. Moreover, while the Competition is subject to all applicable local, state and federal laws, Connecticut law shall govern any dispute concerning the construction, validity, interpretation and enforceability of these Official Rules or any other dispute concerning the Competition, without regard to its conflict of laws principles.
6. **WINNERS' LIST.** A list containing the name of each School winning a Competition prize may be obtained after Monday, February 4, 2013 by sending an e-mail to:

info@recycle-bowl.org or a stamped self-addressed envelope to the *Recycle-Bowl* Winners List, Keep America Beautiful, Inc., 1010 Washington Blvd., Stamford, CT 06901.

7. **SPONSORSHIP.** The Competition is operated by Keep America Beautiful, Inc., 1010 Washington Blvd., Stamford, Connecticut, USA, 06901. The Competition is sponsored by Nestle Waters North America, Inc. 900 Long Ridge Road, Stamford, CT 06902.